

counter where you don't need a prescription?

SENATOR HOAGLAND: Senator Higgins, Senator Lynch's bill is LB 323 and in that bill you can see what all the controlled substances are and I think you understand that it starts out at the top of the list with heroin and cocaine...

SENATOR HIGGINS: Oh.

SENATOR HOAGLAND: ...and it goes on down to a whole variety of Phenobarbitals and other kinds of pills that are illegal under state and federal law.

SENATOR HIGGINS: Okay. Now if I had Phenobarbital in my possession and I was taking it under a doctor's prescription, this bill would not apply to me. Right? I mean I'm not going to sell them to somebody else. I'm not going to give them to Senator Smith sitting here or...I'm taking them, I'm not, but I'm saying if I did have Phenobarbital in my possession as prescribed by a physician, this bill would not apply at all to me.

SENATOR HOAGLAND: What this bill applies to are people that are selling imitation controlled substances and it applies to sellers only. This bill applies to sellers only, not to people who are merely possessing it for their own use.

SENATOR HIGGINS: And manufacturers.

SENATOR HOAGLAND: Right.

SENATOR HIGGINS: And the distributors?

SENATOR HOAGLAND: Those are sellers the way I think of the term. This bill applies to people who manufacture and sell quantities of look-alike drugs which are drugs that are intentionally manufactured, that have the same appearance as a controlled substance.

SENATOR HIGGINS: In other words, they are not the manufacturers of a true Phenobarbital.

SENATOR HOAGLAND: They may be. They may also manufacture...

SENATOR HIGGINS: You mean they are making both?